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Superior Court of Guam

IN THE DISTRICT COURT OF GUAM

DEBBIE ANN REYES PEREZ,)	CIVIL CASE NO. 08-00007
)	
Plaintiff,)	
)	
vs.)	PROTECTIVE ORDER
)	
SUPERIOR COURT OF GUAM,)	
)	
Defendant.)	
_____)	

Pursuant to the parties' November 21, 2008 stipulation for a HIPAA protective order, the Court now enters the following order:

1. The parties are hereby granted the right, upon compliance with the applicable discovery provisions of the Federal Rules of Civil Procedure and the orders of this Court, to obtain from any health care provider, health plan, or other entity covered by the Health Insurance Portability and Accountability Act of 1996, Pub. L. No. 104-191, 110 Stat. 1936 (1996) ("HIPAA"), any and all information relating to the past, present, or future medical condition of Debbie Ann Reyes Perez (born in 1966, Social Security Number XXX-XX-8365), as well as any and all information relating to the provision of health care to such individual and payment for the provision of such health care from 1995 to the present.

2. This order authorizes any third-party who is provided with a subpoena requesting the production of documents or commanding attendance at deposition or trial to disclose the Protected Health Information in response to such request or subpoena. This order is intended to authorize such disclosures under the privacy regulations issued pursuant to HIPAA. See, 45 C.F.R. § 164.512(e)(1)(i).

3. The parties are expressly prohibited from using or disclosing the protected health information obtained pursuant to this order for any purpose other than this action. Further, immediately upon conclusion of this action, the parties are ordered to either return to the covered entity that provided the protected health information all materials received by them (including all copies made) from the covered entity, or else destroy such materials (including all copies made). See, 45 C.F.R. §§ 164.502(b) and 164.512(e)(1)(v).

IT IS SO ORDERED.



/s/ Joaquin V.E. Manibusan, Jr.
U.S. Magistrate Judge
Dated: Dec 24, 2008